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6 IN THE UNITED STATES DISTRICT COURT
7 EASTERN DISTRICT OF CALIFORNIA

8 UNITED STATES OF AMERICA,

9 Plaintiff,

10 v.

CASE NO.

VERIFIED COMPLAINT FOR
FORFEITURE *IN REM*

11 APPROXIMATELY \$189,626.34 SEIZED
FROM BANK OF AMERICA ACCOUNT
12 NUMBER *****8881, HELD IN THE
NAME OF TRUCKING LOGISTICS, LLC,

13 APPROXIMATELY \$176,980.00 SEIZED
FROM BANK OF AMERICA ACCOUNT
14 NUMBER *****1441, HELD IN THE
NAME OF BYRONS PROPERTY
15 MANAGEMENT, LLC,

16 APPROXIMATELY \$87,340.00 SEIZED
FROM BANK OF AMERICA ACCOUNT
17 NUMBER *****7917, HELD IN THE
NAME OF JULIETTE PROPERTY
MANAGEMENT, LLC,

18 APPROXIMATELY \$148,380.00 SEIZED
FROM PNC BANK ACCOUNT NUMBER **-
19 ****-8709, HELD IN THE NAME OF A
SMITH CONSULTING, LLC,

20 APPROXIMATELY \$129,716.51 SEIZED
FROM PNC BANK ACCOUNT NUMBER **-
21 ****-5621, HELD IN THE NAME OF GLORY
DENIM, LLC,

22 APPROXIMATELY \$29,651.83 SEIZED
FROM PNC BANK ACCOUNT NUMBER **-
23 ****-9445, HELD IN THE NAME OF
ASHLEY PROPERTY MANAGEMENT,
24 LLC, and,

25 APPROXIMATELY \$28,730.22 SEIZED
FROM PNC BANK ACCOUNT NUMBER **-
26 ****-5951, HELD IN THE NAME OF
MOSELEY MEDICAL SERVICES, LLC,

27 Defendants.
28

1 The United States of America, by and through its undersigned attorney, brings this complaint and
2 alleges as follows in accordance with Supplemental Rule G(2) of the Supplemental Rules for Admiralty or
3 Maritime Claims and Asset Forfeiture Actions:

4 **NATURE OF ACTION**

5 1. This is a civil action *in rem* to forfeit to the United States approximately \$189,626.34
6 seized from Bank of America account number *****8881, approximately \$176,980.00 seized from
7 Bank of America account number *****1441, approximately \$87,340.00 seized from Bank of
8 America account number *****7917, approximately \$148,380.00 seized from PNC Bank account
9 number **-****-8709, approximately \$129,716.51 seized from PNC Bank account number **-****-
10 5621, approximately \$29,651.83 seized from PNC Bank account number **-****-9445, and,
11 approximately \$28,730.22 seized from PNC Bank account number **-****-5951 (“defendant funds”)
12 pursuant to 18 U.S.C. §§ 981(a)(1)(A) and 981(a)(1)(C), on grounds that the defendant funds constitute
13 or are derived from proceeds traceable to violations of 18 U.S.C. § 1343.

14 2. The defendants approximately \$189,626.34 seized from Bank of America account
15 number *****8881, approximately \$176,980.00 seized from Bank of America account number
16 *****1441, and approximately \$87,340.00 seized from Bank of America account number
17 *****7917, were seized by the U.S. Secret Service (“USSS”) on or about April 21, 2022, pursuant
18 to federal seizure warrants. The defendants approximately \$129,716.51 seized from PNC Bank account
19 number **-****-5621, approximately \$28,730.22 seized from PNC Bank account number **-****-
20 5951, and approximately \$29,651.83 seized from PNC Bank account number **-****-9445, were seized
21 by the USSS on or about April 22, 2022, pursuant to federal seizure warrants. The defendant
22 approximately \$148,380.00 seized from PNC Bank account number **-****-8709 was seized by USSS
23 on or about May 9, 2022, pursuant to a federal seizure warrant. The defendant funds are currently in the
24 custody of the USSS, Eastern District of California.

25 **JURISDICTION AND VENUE**

26 3. This Court has jurisdiction over an action commenced by the United States under
27 28 U.S.C. § 1345, and over an action for forfeiture under 28 U.S.C. § 1355(a).

1 4. This district is a proper venue pursuant to 28 U.S.C. § 1355 and 28 U.S.C. § 1395(a)
2 because the defendant funds were seized in this district.

3 **FACTUAL ALLEGATIONS**

4 5. Beginning on or about July 27, 2021, Kings County enlisted Tehachapi, California-based
5 construction contractor Bowe Contractors, Inc. (“BCI”) to perform a remodel and expansion of the
6 Kings County Juvenile Detention Center. The contract was valued at \$16.5 million dollars.

7 6. Between August and December 2021, Kings County made periodic payments to BCI on
8 the contract using paper checks that were mailed to BCI.

9 7. On October 7, 2021, Kings County received an email from
10 kbowe@bowecontractorsinc.com. Karen Bowe is BCI’s Chief Financial Officer. The email informed
11 Kings County that BCI had changed banks and that future payments on the contract should be sent
12 electronically. Attached to the email was a document containing instructions for future electronic funds
13 transfer (“EFT”) payments that referenced a JPMorgan Chase bank account as the purported new BCI
14 account where payments were to be sent. On October 13, 2021, Kings County received a second
15 payment request from kbowe@bowecontractorsinc.com. This request changed the receiving account to
16 JPMorgan Chase Bank account number *****5973 (“JPM Account”).

17 8. On or about December 1, 2021, Kings County acted according to the October 7 and
18 October 13, 2021, emails and initiated an EFT payment to the JPM Account in the amount of
19 \$893,754.82. The intended recipient of the \$893,754.82 payment was BCI.

20 9. Beginning on or around December 2, 2021, Karen Bowe contacted Kings County’s
21 Finance Department to advise them that BCI had not received their latest payment. By December 8,
22 2021, Kings County suspected that the EFT request changing the payment method from paper checks to
23 EFT was not authorized by BCI. Karen Bowe’s actual email address was
24 kbowe@bowecontractors.com, whereas the October 7, 2021, and October 13, 2021, emails used the
25 email domain “bowecontractorsinc.com.”

26 10. According to JPMorgan Chase records, the JPM Account was held by a Pennsylvania real
27 estate company with a business address at an apartment in Philadelphia, Pennsylvania that filed its
28 articles of incorporation in Delaware on or around September 15, 2021. The JPMorgan Account was

opened on October 6, 2021, and closed on December 31, 2021. The signature card identified C.T. as the only authorized signatory to the JPM Account. On or about December 1, 2021, Kings County's payment of \$893,754.82 was deposited into the JPM Account. Prior to this deposit, the JPM Account had a negative balance of -\$8.49.

11. JPMorgan Chase records revealed that, on or about December 1, 2021, the following checks were signed by C.T. and issued from the JPM Account to Bank of America utilizing the Kings County funds:

JPMorgan Chase Account Number 775025973 Check Transaction Details to BofA				
Date	Check Number	Amount	Payee	Depository Bank
12/2/2021	97	\$176,980.00	Byrons Property Management LLC	Bank of America *****1441
12/2/2021	98	\$189,780.00	Trucking Logistics LLC	Bank of America *****8881
12/6/2021	4893	\$87,340.00	Juliette Property Management LLC	Bank of America *****7917

12. JPMorgan Chase records revealed that, on or about December 1, 2021, the following checks were signed by C.T. and issued from the JPM Account to PNC Bank utilizing the Kings County funds:

JPMorgan Chase Account Number 775025973 Check Transaction Details to PNC				
Date	Check Number	Amount	Payee	Depository Bank
12/1/2021	99	\$145,980.00	Ashley Property Management LLC	PNC Bank **-****-9445
12/2/2021	4891	\$148,380.00	A Smith Consulting LLC	PNC Bank **-****-8709
12/6/2021	4892	\$132,740.00	Glory Denim LLC	PNC Bank **-****-5621

13. On or about December 8, 2021, law enforcement interviewed Bank of America ("BofA") representatives. A BofA representative confirmed that the above-identified BofA accounts cumulatively maintained approximately \$454,000.00 of Kings County's funds.

14. As of approximately December 8, 2021, the BofA account records revealed that, after receiving the December deposits of JPM Account check numbers 97, 98, and 4893, the associated payee accounts did not receive additional deposits, were not depleted, and thus continued to contain the funds

1 that originated from Kings County's payment into the JPM Account, except for a pre-deposit depletion
2 of \$153.66 from BofA account number *****8881.

3 15. On or about December 8, 2021, law enforcement interviewed PNC Bank ("PNC")
4 representatives. A PNC representative confirmed that the above identified PNC accounts cumulatively
5 maintained approximately \$359,851.77.

6 16. As of approximately December 8, 2021, the PNC account records revealed that, after
7 receiving the December deposits of JPM Account check numbers 99, 4891, and 4892, the associated
8 payee accounts received minimal deposits, an aggregate total less than \$600 for all accounts, were not
9 depleted, and thus continued to contain the funds that originated from Kings County's payment into the
10 JPM Account.

11 17. On January 12, 2022, law enforcement interviewed Karen Bowe at BCI. She denied any
12 knowledge of or relationship with the Pennsylvania real estate company that held the JPM Account or
13 C.T. She also denied authorizing C.T. to send or receive any funds on behalf of herself or BCI. Further,
14 she denied knowledge or any relationship with any of the payees who received funds from C.T. or the
15 JPM Account.

16 18. On April 8, 2022, the government obtained federal seizure warrants for the defendant
17 funds (1:22-SW-00185-BAM, 1:22-SW-00186-BAM, 1:22-SW-00187-BAM, 1:22-SW-00188-BAM,
18 1:22-SW-00189-BAM, 1:22-SW-00190-BAM, and 1:22-SW-00191-BAM). The Magistrate Judge
19 found that facts existed to support a probable cause finding that an unknown individual or unknown
20 individuals opened the JPM Account and diverted Kings County's \$893,754.82 contract payment into
21 the JPM Account without Kings County's knowledge or consent.

22 19. On April 21, 2022, the USSS seized \$189,626.34 from BofA account number
23 *****8881 held in the name of Trucking Logistics LLC, which is registered in Pennsylvania. The
24 BofA account for Trucking Logistics LLC was opened on or about March 2, 2021, as a single member
25 LLC by J.E. Jackson. The only deposit in the LLC's account in December 2021 was from the check
26 issued by C.T. from the JPM Account.

27 20. On April 21, 2022, the USSS seized \$176,980.00 from Bank of America account number
28 *****1441 held in the name of Byrons Property Management LLC registered in New Jersey. The

1 BofA account for Byrons Property Management LLC was opened on or about March 27, 2021, as a
2 single member LLC by B. Spencer. The only deposit in the LLC's account in December 2021 was from
3 the check issued by C.T. from the JPM Account.

4 21. On April 21, 2022, the USSS seized \$87,340.00 from BofA account number
5 *****7917 held in the name of Juliette Property Management LLC registered in New Jersey. The
6 BofA account was opened on or about August 31, 2021, as a single member LLC by J.M. Jackson. The
7 LLC was registered in New Jersey in July 2021. The only deposit in the LLC's account in December
8 2021 was from the check issued by C.T. from the JPM Account.

9 22. On April 22, 2022, the USSS seized \$129,716.51 from PNC Bank account number **-
10 ****-5621 held in the name of Glory Denim LLC. The PNC Bank account was opened on October 5,
11 2021, by S.J. James as an S corporation LLC. The only deposit in the LLC's account in December 2021
12 was from the check issued by C.T. from the JPM Account.

13 23. On April 22, 2022, the USSS seized \$29,651.83 from PNC Bank account number **-
14 ****-9445 held in the name of Ashley Property Management LLC. The PNC Bank Account was
15 opened on October 9, 2021, by A. N. June as an S corporation LLC. The only deposit in the LLC's
16 account in December 2021 was from the check issued by C.T. from the JPM Account. Additionally, the
17 PNC records demonstrated that on December 7, 2021, Ashley Property Management LLC withdrew
18 \$30,032.00 from its account that subsequently was deposited into Moseley Medical Services LLC's
19 PNC Bank account **-****-5951.

20 24. On April 22, 2022, the USSS seized \$28,730.22 from PNC Bank account number **-
21 ****-5951 held in the name of Moseley Medical Services LLC. The PNC Bank account was opened on
22 September 9, 2021, by T. Moseley as an S corporation LLC. The LLC is registered in Delaware. The
23 only deposits in the LLC's account in December 2021 were a mobile deposit of \$250 on December 1,
24 2021, and the \$30,032.00 deposit from the Ashley Property Management LLC account on December 7,
25 2021.

26 25. On May 9, 2022, the USSS seized \$148,380.00 from PNC Bank account number **-
27 ****-8709 held in the name of A Smith Consulting LLC. The PNC Bank account was opened on
28

August 20, 2021, by M. A. Smith as an LLC. The only deposit in the LLC's account in December 2021 was from the check issued by C.T. from the JPM Account.

FIRST CLAIM FOR RELIEF
18 U.S.C. § 981(a)(1)(C)

26. The above paragraphs are incorporated by reference as though fully set forth herein.

27. The United States alleges that the defendant funds were derived from proceeds traceable to an offense constituting a "specified unlawful activity" as defined in 18 U.S.C. § 1956(c)(7), which incorporates the definition of "specified unlawful activity" found in 18 U.S.C. § 1961(1) and are therefore subject to forfeiture to the United States pursuant to 18 U.S.C. § 981(a)(1)(C). Wire Fraud in violation of 18 U.S.C. § 1343, constitutes "specified unlawful activity" as defined in § 1956(c)(7).

PRAYER FOR RELIEF

WHEREFORE, the United States prays that:

1. Process issue according to the procedures of this Court in causes of action *in rem*;
2. Any person having an interest in said defendant funds be given notice to file a claim and to answer the complaint;
3. The Court enter a judgment of forfeiture of the defendant funds to the United States; and,
4. The Court grant such other relief as may be proper.

Respectfully submitted,

Dated: August 3, 2022

PHILLIP A. TALBERT
United States Attorney

/s/ Alyson A. Berg
ALYSON A. BERG
Assistant United States Attorney

VERIFICATION

I, Jason Blied, hereby verify and declare under penalty of perjury that I am a Special Agent with the U.S. Secret Service, that I have read the foregoing Verified Complaint for Forfeiture *In Rem* and know the contents thereof, and that the matters contained in the Verified Complaint are true to the best of my knowledge and belief.

The sources of my knowledge and belief are in the official files and records of the United States, information supplied to me by other law enforcement officers, as well as my investigation of this case, together with others, as a Special Agent of the U.S. Secret Service.

I hereby verify and declare under penalty of perjury that the foregoing is true and correct.

Dated: August 2, 2022



JASON BLIED
Special Agent
U.S. Secret Service